

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

|                                      |   |                                |
|--------------------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA,            | ) |                                |
|                                      | ) |                                |
| v.                                   | ) |                                |
|                                      | ) |                                |
| THE REAL PROPERTY LOCATED AT         | ) | <b>Civil No. 3:21-cv-00185</b> |
| 1527, 1529, 1531,1533, AND 1537 WEST | ) |                                |
| BOULEVARD IN CHARLOTTE,              | ) |                                |
| NORTH CAROLINA, AND MORE             | ) |                                |
| PARTICULARLY DESCRIBED IN A          | ) |                                |
| DEED RECORDED AT BOOK 31474,         | ) |                                |
| PAGES 923-925 IN THE OFFICE OF THE   | ) |                                |
| MECKLENBURG COUNTY REGISTER          | ) |                                |
| OF DEEDS.                            | ) |                                |

**VERIFIED COMPLAINT FOR FORFEITURE *IN REM***

NOW COMES Plaintiff the United States of America, by and through William T. Stetzer, Acting United States Attorney for the Western District of North Carolina, in a civil cause of forfeiture against the above-captioned property (the “West Blvd Property” or the “Property”), and alleges as follows:

**INTRODUCTION**

1. Few properties in the Charlotte area have had a greater history or volume of drug-related crime and violence than the West Blvd Property, a single-story strip shopping center located at/around 1533 West Blvd, Charlotte, NC.

2. Simply put, the Property serves as an open-air drug market. The drug-dealers who conduct their business there—many among them validated gang members—routinely do so in plain sight and with brazen impunity. Indeed, they often place their scales (for weighing drugs) on the windowsill of the West Blvd Shop itself,

a store in which one of the property owners is frequently present/working. On multiple occasions, those fleeing law enforcement have even tried to hide their contraband in the store's shelves or freezers.

3. The Charlotte-Mecklenburg Police Department ("CMPD") routinely conducts undercover buys and makes arrests at and around the Property. However, despite the continued efforts of law enforcement, little impact can be made on the overall crime rate there—and often, surveillance shows that the busiest time for drug trafficking is immediately after an arrest, when those using the Property know law enforcement's resources are stretched thin. Since 2017, there have been at least sixty-seven (67) instances of drug violations at the Property, and numerous other instances in which law enforcement has found drugs, drug paraphernalia, and/or those in possession of drugs or using the Property to traffic drugs.

4. With this drug trafficking comes violence. The Property has been the site of fourteen shootings, usually drive-by, since March of 2017. Innocent bystanders' cars—including those with children—have been shot into and even a city bus has been hit. Weapons are frequently found among those who loiter there, and assaults and robberies also occur.

5. Since purchasing it, the owners of the Property have tolerated its use as a drug market, and the criminal activity there has drastically increased under their tenure. CMPD has poured thousands of hours in manpower into this single location—in the last four years (*i.e.* under the current owner's tenure) there have been **one thousand and seventy-nine (1,079)** calls for service to the Property. At this point,

federal forfeiture is not only warranted, but necessary to curtail the longstanding and pervasive criminal activity on the Property that continues to pose a threat to the safety and welfare of the community.

### **NATURE OF THE ACTION**

6. This is a civil forfeiture action *in rem* against the real property located at 1527, 1529, 1531, 1533, and 1537 West Boulevard in Charlotte, North Carolina, and more particularly described in a deed recorded at Book 31474, Pages 923-925 in the office of the Register of Deeds for Mecklenburg County, North Carolina, together with all appurtenances, improvements, and attachments thereon.

7. The Property is subject to forfeiture under 21 U.S.C. § 881(a)(7), which authorizes the forfeiture of real property—including any right, title, and interest in the whole of any lot or tract of land and any appurtenances or improvements—because it is used, or intended to be used, to commit or to facilitate the commission of, violations of 21 U.S.C. §§ 841 and/or 846 (the Controlled Substances Act).

8. Procedures for this action are mandated by 21 U.S.C. § 881, 18 U.S.C. § 983, 19 U.S.C. §§ 1602-1621, and, to the extent applicable, the Federal Rules of Civil Procedure and accompanying Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

9. This Court has jurisdiction over this matter by virtue of 28 U.S.C. §§ 1345 and 1355. These statutes confer original jurisdiction to federal district courts of all civil actions, suits, or proceedings commenced by the United States and any action for the forfeiture of property incurred under any act of Congress.

10. Venue is proper pursuant to 28 U.S.C. § 1355(b)(1)(A) because acts or omissions giving rise to the forfeiture occurred within the Western District of North Carolina. Venue is also proper pursuant to 28 U.S.C. § 1395(b) because the West Blvd Property is located within the Western District of North Carolina.

11. Based on the following facts, verified by CMPD Detective Dennis Miller, this action seeks the forfeiture of all right, title, and interest in the West Blvd Property.

### **FACTS GIVING RISE TO FORFEITURE**

#### ***The property and its owners***

12. The West Blvd Property is a single-story strip shopping center located at/around 1533 West Boulevard in Charlotte, North Carolina and consists of approximately eight separate store/business locations:

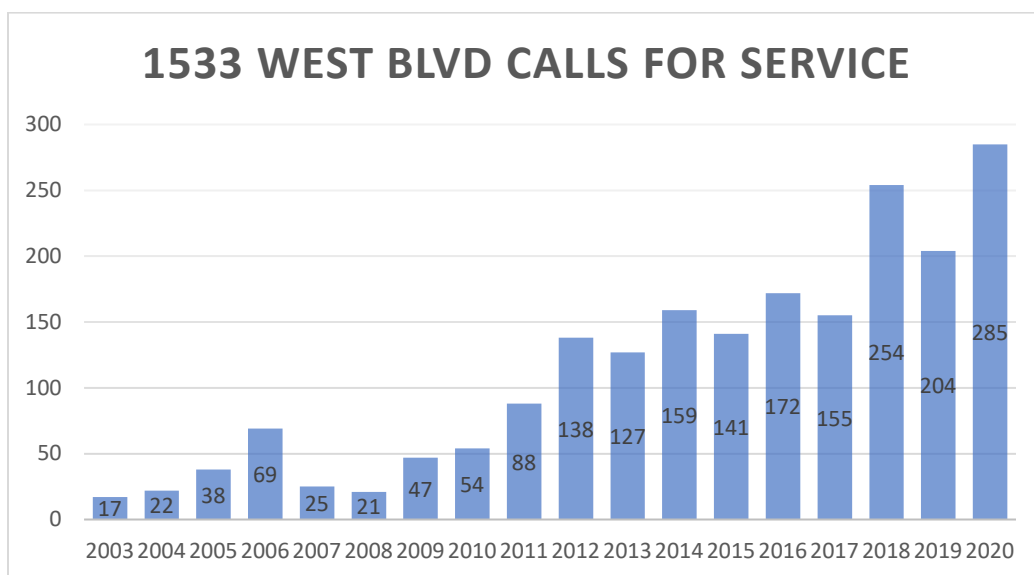


(Google Earth Street View, March 2020).

13. Upon information and belief, Abdoukader Bouche and Mikiyas Gebremeskel—who are business partners—have owned the West Blvd Property since December 30, 2016, and lease the space to various individual and/or business tenants.

Bouche and Gebremeskel also own the convenience store located at 1533 West Blvd, called the West Blvd Shop.

14. The longstanding criminal activity at the West Blvd Property has risen dramatically during Bouche and Gebremeskel's tenure as owners. For example, as to the West Blvd Shop location alone, in 2003, there were seventeen (17) calls for service—*i.e.* incidents that required CMPD to investigate—compared to two hundred eighty-five (285) in 2020:



15. Overall, since the West Blvd Property was purchased by Bouche and Gebremeskel, there have been 1,079 calls for service on an assortment of criminal activity ranging from homicide, aggravated assault, to drug trafficking and possession.

16. There can be no doubt that Bouche and Gebremeskel are aware of the criminal activity occurring there. First, the open-air drug market is operated brazenly in plain sight. For example, from December 2019 to November 2020 alone, law enforcement found 21 different scales on 11 separate occasions, most of them sitting

on the window ledges of the building. Notably, Bouche often works in person at the West Blvd Shop.

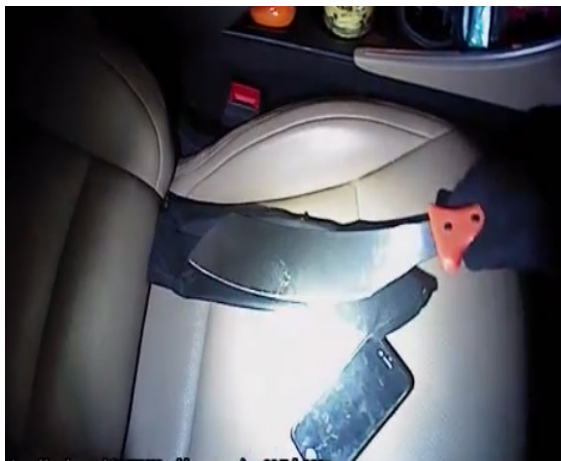
17. Further, Bouche's knowledge of the criminal activity isn't limited to merely observing it from the store. On January 12, 2017, law enforcement received information that Stanislas Aoussou, a West Blvd Shop employee of at least three months, was regularly selling marijuana from the store. Law enforcement later surveilled Aoussou selling marijuana from his parked vehicle at the West Blvd Property.

18. Then, an undercover officer purchased marijuana from Aoussou there on January 18, 2017. Specifically, the undercover made eye contact with Aoussou and made a smoking motion with his hand to his mouth, Aoussou motioned for the undercover to come to his vehicle (parked in front of the West Blvd Shop), and the undercover officer bought 1.4 grams of marijuana for \$20.

19. Likewise, on January 26, 2017, law enforcement utilized an undercover officer to purchase 1.5 grams of marijuana from Aoussou as he stood outside his vehicle parked at the Property in front of the West Blvd Shop. Once the purchase was completed and the undercover clear of the area, law enforcement arrived to arrest Aoussou.

20. Aoussou was found in his vehicle along with Bouche (in the front passenger seat) and another individual, and a search of the vehicle revealed 11.7 grams of marijuana, a digital scale, U.S. currency, a large knife, and a firearm

magazine. Aoussou was charged with, among other things, Possession with Intent to Distribute Marijuana. Bouche, the knife, and marijuana are pictured below:



21. The West Blvd Property owners have received numerous notices from CMPD regarding the drug trafficking and criminal activity on the Property, but have failed to take reasonable steps in conjunction with law enforcement to curb the Property's use in and facilitation of criminal activity. On multiple occasions, CMPD



officers have advised the West Blvd Property owners of the importance of reducing loitering on the Property, enforcing a no-loitering policy, maintaining a book of persons banned from the Property, obtaining the cooperation of tenants on the property, assisting in law enforcement efforts to prosecute trespassing, and hiring armed security for the property.

22. Despite this, and the amount of criminal activity regularly occurring, the West Blvd Property Owners have done little to assist law enforcement. For example, on numerous occasions (specifically including October 14, 2020 and December 16, 2020), representatives of the Property, including Bouche, Gebremeskel, and Randy Freeman,<sup>1</sup> the property manager, have stated they would not have their name listed on any arrest or warrant paperwork, and there has never been a single representative of the West Blvd Property to appear in court for any trespassing arrest.

### ***The drug-related violence***

23. The Property's operation as an open-air drug market (detailed more specifically in the Complaint's following section) has caused the West Blvd Property to also be the site of a significant amount of attendant drug-related violence.

24. On March 10, 2017, a victim reported she, her husband, and two kids stopped at the West Blvd Shop on their way out of town. While the victim's family was parked, an unknown individual approached the vehicle and told the victim that he had problem with her husband before producing a handgun and firing one round

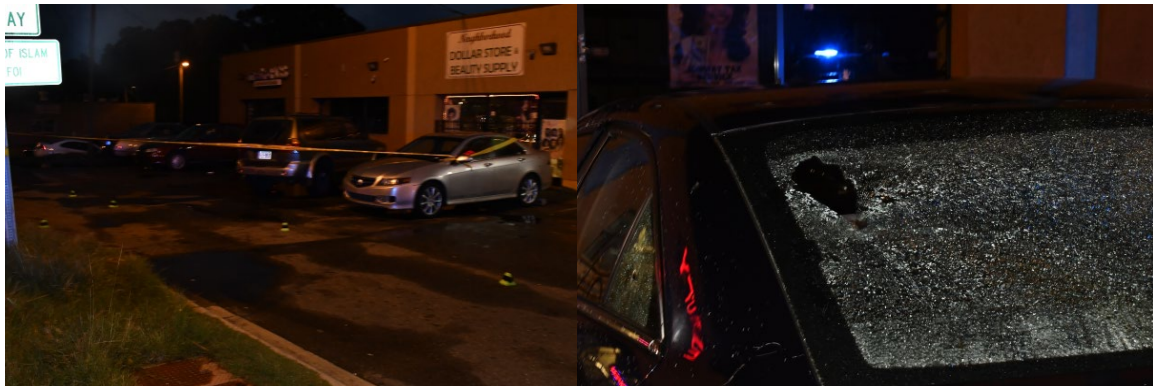
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<sup>1</sup> Freeman has further stated that he is scared to even go the Property, despite being the Property manager.



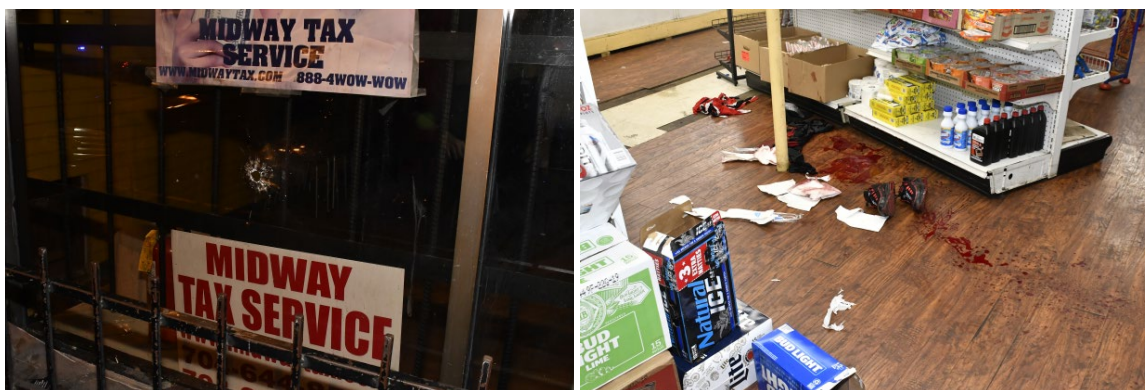
into their vehicle—striking the victim in her leg resulting in a gunshot wound requiring medical treatment.

25. On August 10, 2018, the West Blvd Property was the site of a drive-by shooting. Witness accounts and surveillance footage from the area indicate that a gold Toyota Camry pulled into the parking lot of the West Blvd Property, whereafter someone pointed a handgun out of the front passenger side window, and fired multiple gunshots at an individual exiting the West Blvd Shop. Witnesses described a range of 8-15 shots fired, and law enforcement found ten discharged cartridge cases at the scene. In total, three victims were shot and transported to the hospital, and multiple store fronts and vehicles were shot into.<sup>2</sup> Photos from the incident are included below:



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<sup>2</sup> The cause of the shooting is unknown but at least one witness noted there was a disturbance between two groups at the West Blvd Property prior to the shooting, then the parties involved in that disturbance left, after which one of the parties returned shortly thereafter in the gold Camry.



26. On April 4, 2019, an unknown person discharged a firearm outside the West Blvd Shop resulting in an unoccupied vehicle being struck by gunfire.

27. On July 4, 2019, a car was shot at while parked at the West Blvd Shop. The vehicle sustained damage to a rear window, but no injuries were reported.

28. On July 20, 2019, CMPD officers responded to an assault with deadly weapon with no injury, in which the victim stated a man pointed a gun at her and threatened to shoot her. Based on the description provided by the victim, law enforcement later detained Joshua Harris, who smelled strongly of marijuana, and a search of Harris revealed marijuana and a digital scale.

29. The West Blvd Property was the scene of another shooting on August 07, 2019, with one individual shot in the head and killed in the parking lot. Surveillance footage captured the incident. The deceased individual pulled into the parking lot in a green Toyota Camry, parked, exited holding an AK-47 rifle, walked towards two men standing in front of the West Blvd Shop near a Jeep parked there, pointed the rifle in their direction, and exchanged words with one of the men. It is unclear who shot first, but the deceased fired the AK-47 and the two men fired at him with pistols. The deceased man dropped, and the two others entered the Jeep and

left.<sup>3</sup> Prior surveillance footage shows the deceased at the West Blvd Property with one of the other men, and a witness account to law enforcement noted that the deceased had previously been at the West Blvd Property arguing over drugs. Further, one of the deceased's relatives stated to law enforcement that he (the relative) had been planning to come to the West Blvd Shop that day to buy some weed. Photos from the incident are included below:



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<sup>3</sup> As the deceased appeared to be the aggressor, this was classified as a justifiable homicide.



30. On August 24, 2019, the West Blvd Property was the site of another drive-by shooting by an unknown suspect in which over 20 rounds were fired, three victims were shot, and numerous rounds were shot into the building and parked vehicles. Two of the victims sustained gunshot wounds in their legs and one victim was shot in the stomach. Surveillance cameras showed a large gathering in the parking lot late in the evening, and people going in and out of an empty business. One witness stated the gathering was a private going-away party for an individual who would be serving 51 months in prison. Around 4:21 am, a four-door sedan drove by with someone shooting outside of the passenger window, seemingly without a specific target. In return, another individual from the parking lot pointed a gun from behind a parked car and began shooting back. After the shooting, more than 20 people exited the area, and several people exited the empty business with firearms. Photos from the incident are included below:





31. The West Blvd Property was the site of another drive-by shooting on October 26, 2019. Surveillance video showed several individuals, including Sandino Davis and Kirby Rabb, loitering at the Property when a white Dodge Charger drives by and shoots at them. Rabb returned fire, wildly shooting across West Blvd, firing at least 11 times from the parking lot of the West Blvd Shop. Numerous bystanders

were present, and a vehicle with a mother and two children under the age of four was struck by the gunfire. Sandino and Rabb were arrested and charged with a variety of weapons law violations.

32. Kirby Rabb was again the subject of a shooting on December 30, 2019. CMPD officers responded to the West Blvd Property to investigate a shots fired call for service, and found discharged shell casings in the parking lot. A short time later Rabb arrived at a Charlotte area hospital suffering from a gunshot wound. Rabb told officers he was standing in front of the West Blvd Shop when an adult male approached him with a gun in his hand, exchanged words with Rabb and then opened fire. Arsenio Hopper was arrested on January 27, 2020 in relation to the shooting and charged with Assault with a Deadly Weapon with Intent to Kill Inflicting Serious Injury.

33. On January 28, 2020, CMPD officers responded to an assault with a deadly weapon call, which involved a victim at the hospital having been stabbed in the parking lot of the West Blvd Property. Valerie Mason turned herself in on January 29, 2020 on a warrant for Assault with Deadly Weapon with Intent to Kill Inflicting Serious Injury

34. On April 22, 2020, a white SUV with three occupants wearing masks pulled into the West Blvd Parking lot, and shot at an individual standing in front of the Metro PCS store. The individual sustained a gunshot wound to his right hip and was separately taken to the hospital. Upon further investigation, detectives arrested Jamarqua Davis for the shooting and charged him with Assault with a Deadly

Weapon, Possession of Marijuana, and Felony Conspiracy. Photos from the incident are included below:



35. On June 29, 2020, the West Blvd Shop (one bullet) and a vehicle (two bullets) were shot into during a drive-by shooting in which a white SUV stopped and a passenger got out and then fired three times. Those in the parking lot scattered at the time of shooting, making the intended target unclear. No one was injured during the shooting but an innocent person driving by wrecked their car while avoiding the vehicle involved in the drive-by shooting.





36. On July 11, 2020, four shooters fired into a Subaru parked in front of the West Blvd Shop, striking it at least 13 times. A 9mm handgun (unfired) was later found in the Subaru. According to one individual involved, one of the Subaru's occupants, nicknamed Shari, came into the store trying to sell fentanyl pills, but no one there wanted to buy them. Apparently on drugs at the time, she became angry, grabbing a gun from her boyfriend and threatening to shoot others, and this altercation led to the shooting. Shari's boyfriend, who was in the Subaru and suffered a gunshot wound to his shoulder, stated that Shari told him she needed to stop at the store for a minute, she began arguing with people, and he grabbed her and pulled her inside the car as a crowd came at her, and then shots rang out. Sanchez Nicholson, Tahajie Howard, Sandino Davis, and Justin Dunbar were arrested and charged with numerous crimes related to the aggravated assault/shooting.

37. On August 24, 2020, a group of five men were loitering at the West Blvd Shop when they were shot at in a drive by shooting, which struck four vehicles with gunfire. Witnesses would not cooperate with the investigation, but numerous shell casings and baggies used to package narcotics were recovered during the crime scene search. A review of the surveillance camera in the area resulted in officers identifying known drug dealers being present during the shooting. Photos from the incident are included below:



38. During a drive-by shooting on October 9, 2020, bullets struck an individual in the knee outside the building, parked vehicles, the building, and a CATS bus stopped there. The bus left when a passenger got on and said “go they shooting.” Limited video surveillance showed a vehicle approach the West Blvd Property and passenger(s) begin to discharge rounds at the building/persons/vehicles, with several muzzle flashes recorded on camera. Witnesses were uncooperative with the investigation, and photos from the incident are included below:



39. On November 30, 2020, a person, vehicle, and multiple store fronts were shot into in a drive-by shooting directed at several individuals standing in front of the building. A photo from the incident is included below:



40. On December 7, 2020, a black Honda Accord drove by and shots were fired at roughly 8 people standing in the West Blvd Property's parking lot, striking three and sending them to the hospital. One of the three victims was a validated 1500 Boys gang member. Further investigation resulted in Cortez Springs, Roderick Spruiell, Rashad Spruiell, and a 16-year-old being charged with Assault with Deadly Weapon Inflicting Serious Injury.

### ***The Drug Trafficking at the West Blvd Property***

41. Underlying this violence is a significant volume of drug trafficking, and examples of such criminal activity are detailed below.

#### **2017 incidents**

42. The United States incorporates by reference paragraphs 17 through 20 as if fully set forth herein (store employee selling drugs from the Property).

43. On August 14, 2017, law enforcement conducted a controlled buy of marijuana (1 gram) at the West Blvd Property from Alexander Monk.

44. On August 18, 2017, law enforcement conducting surveillance witnessed Tory Vazquez conducting hand-to-hand drug transactions in front of the West Blvd Shop. Vazquez was arrested and found to be in possession of 9.9 grams of marijuana.

45. On September 07, 2017, law enforcement conducting surveillance witnessed William Farris in possession of cocaine, and a search of Farris revealed a small amount of crack cocaine and a crack pipe/push rod. Farris was arrested for possession of cocaine and drug paraphernalia.

46. An undercover CMPD officer purchased 1.8 grams of marijuana from an unknown individual in the parking lot of the West Blvd Shop on September 12, 2017.

47. An undercover CMPD officer purchased 1 gram of marijuana from Latwaine Rorie, in the parking lot of the West Blvd Shop on September 21, 2017.

48. Later that same day, an undercover officer separately purchased 1.2 grams of marijuana from Donnie McDowell in the parking lot of the West Blvd Shop.

49. On November 02, 2017, law enforcement surveilling the West Blvd Property received information that Gary Alston was in possession of a firearm and counterfeit U.S. currency. A search of his vehicle located on the West Blvd Property (backed in front of the West Blvd Shop) revealed a 9mm handgun, 1 gram of marijuana, and \$3,100.00 in counterfeit U.S. currency. Alston was arrested for Possession of Firearm by Felon, Carry Concealed Weapon, Possession of Marijuana, and Possession/Transport Five or More Counterfeit Instruments.

50. On December 30, 2017, CMPD officers initiated a traffic stop of Marcus James for speeding, and a search of James' vehicle revealed 13.4 grams of marijuana, "smelly proof" plastic baggies, and a marijuana grinder. James was arrested for possession of marijuana and possession of drug paraphernalia. James appeared to be going to the West Blvd Shop as he tried to exit his vehicle and enter the store before being ordered to return to his vehicle by officers.

#### 2018 incidents

51. On June 29, 2018, CMPD officers responded to the rear parking lot area of the West Blvd Property to investigate a call for service of an armed subject hiding behind a dumpster—possibly waiting to commit a robbery—and encountered Johnny Sullivan upon arrival. Sullivan fled on foot upon making eye contact with responding officers, but was apprehended at the West Blvd Shop following a foot pursuit. A search of Sullivan's flight path revealed a firearm and 8.9 grams of marijuana.

52. On July 11, 2018, CMPD officers on patrol observed Donnie McDowell with a bag of marijuana in his hand as another unidentified male placed a digital scale on the ground in preparation to weigh marijuana. Officers initiated contact with McDowell who turned over the roughly 11.5 grams of marijuana.

53. On July 31, 2018, Jeremiah Davis was found in possession of a concealed firearm while being a convicted felon, as well as 16.5 grams of marijuana and drug paraphernalia.

54. On August 15, 2018, Robert Sanders was found in possession 17.8 grams of marijuana packaged in 21 separate baggies for sale. Sanders was charged with Possession with Intent to Sell/Deliver Marijuana.

55. On September 27, 2018, CMPD officers observed an individual they later identified as Demonte Jenkins loitering in the parking lot of the West Blvd Shop. Jenkins was found to be in possession 6 grams of marijuana and paraphernalia associated with the use of illegal narcotics.

56. On October 11, 2018, CMPD officers observed Antron Pittman conducting hand to hand drug transactions in the parking lot of the West Blvd Shop. Officers detained Pittman and subsequently found 14 grams of marijuana he had attempted to discard as law enforcement arrived.

57. On October 20, 2018, CMPD officers responded to a drug complaint at the West Blvd Property, and upon arrival, detained and searched two suspects, Gabrielle Seawood and Aiysha James, believed to involved in drug transactions. Seawood was found to be in possession of marijuana and ecstasy, and James was found to be in possession of marijuana.

58. On October 20, 2018, CMPD officers conducting surveillance observed suspected narcotics transactions occurring from two individuals, Demarcus Bolton and Jashonda Williams, in the parking lot of the West Blvd Shop. Bolton was found in possession of a firearm while being a convicted felon, as well as marijuana packaged for sale and six pills of MDMA. Bolton was arrested and charged with Possession with Intent to Sell/Deliver MDMA, Possession with Intent to Sell/Deliver



Marijuana, Possess Marijuana Paraphernalia, Possession of Firearm by Felon, and Carrying Concealed Gun. Williams was found in possession of marijuana.

59. On October 29, 2018, CMPD officers, responding to the West Blvd Shop to investigate a loitering for drug activity complaint, observed Johnny Sullivan approach a vehicle in a manner consistent with conducting narcotics sales. CMPD officers then approached Sullivan and conducted a frisk of his person, which resulted the discovery of ten separate baggies of marijuana packaged for sale with a total weight of approximately 13.6 grams. Sullivan was arrested and charged with Possession with Intent to Sell/Deliver Marijuana.

60. On December 5, 2018, officers observed Demonte Jenkins who was known to have outstanding warrants loitering at the West Blvd Shop. During the apprehension of Jenkins, the arresting officers located 28.3 grams of marijuana and a digital scale commonly used to weigh marijuana during drug sales. Jenkins was arrested for drug charges and the outstanding warrants.

61. On December 12, 2018, CMPD officers conducting surveillance observed Jordan Wilson conduct hand to hand drug transactions in the parking lot of the West Blvd Property. As officers approached Wilson, he fled into the West Blvd Shop to evade police and attempted to run out of the back of the store. Wilson was apprehended after a brief physical struggle with the arresting officers, and found to be in possession of marijuana, a concealed stolen handgun, and U.S. currency comprised of small denominations consistent with street level narcotics transactions.

#### 2019 incidents



62. On March 6, 2019, CMPD officers conducting surveillance observed a hand to hand drug transaction in the parking lot of the West Blvd Shop, and then conducted a traffic stop on the vehicle involved in the drug transaction. The traffic stop resulted in the officers locating 1.2 grams of cocaine, 6.8 gram of marijuana, and drug paraphernalia. As to the vehicle's occupants, Tiara Littlejohn admitted to officers to have just purchasing the marijuana from an individual selling marijuana at the West Blvd Property and was issued a citation for her marijuana, and Quneisha Jackson was arrested for Possession of Marijuana and Possession of Cocaine.

63. On March 12, 2019, CMPD officers conducting surveillance observed an individual identified as Robert Sanders conduct hand to hand drug transactions. As CMPD officers arrived in the area, Sanders was observed walking into the West Blvd Shop and hiding something between two drink coolers inside the shop. Upon further investigation, officers located 14 grams of marijuana in the area Sanders was seen discarding the item. Sanders was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

64. On March 14, 2019, CMPD officers located a stolen vehicle in the parking lot of the West Blvd Property and detained Rhiannon Hendren for the stolen vehicle. A search of Hendren resulted in officers locating 4 Xanax pills and a small amount of marijuana. Hendren was arrested and charged with Simple Possession of Schedule IV Controlled Substance and Possession of Marijuana.

65. On April 2, 2019, officers conducting a drug investigation encountered Demarcus Bolton, and located a loaded firearm, 23 grams of marijuana, a digital scale

used to weigh marijuana for drug transactions, and drug paraphernalia. Bolton was arrested and charged with Possession with Intent to Sell/Deliver Marijuana, Possession of Marijuana, Possession of Firearm by Felon, and Carrying Concealed Gun.

66. On April 17, 2019, CMPD officers conducting surveillance observed Antonio Anthony retrieve a bag from the trunk of his vehicle, let an individual smell the bag, and then conduct a hand to hand transaction of marijuana. Upon arrival, officers located Anthony in possession of a marijuana blunt, and a search of his vehicle uncovered 96 grams of marijuana. The officers further located a digital scale that was concealed in a hole in exterior of the West Blvd Shop building. Officers also located a bag containing approximately 24.3 grams of marijuana in the area Anthony was standing prior to officers detaining him. Anthony was arrested and charged with Felony Possession of Marijuana.

67. On May 28, 2019, CMPD officers conducting surveillance observed Princeton Hopper in possession of a large bag of marijuana while in the parking lot the West Blvd Property. Upon initial investigation, officers observed marijuana in plain view within a vehicle Hopper was seen previously in. A search of the vehicle revealed 705.5 grams of marijuana, a loaded firearm concealed under the driver seat, two loaded firearms in the trunk area that were determined to be stolen, digital scales commonly used to weigh narcotics during transactions, and U.S. currency in small denominations consistent with street level narcotic sales. Kirby Rabb, who was in the vehicle, was arrested and charged with Possession of Stolen Firearm, Possession with

Intent to Sell/Deliver Marijuana, Felony Possess Marijuana, Carrying Concealed Weapon, and Possession of Drug Paraphernalia.

68. On May 29, 2019, CMPD officers observed a male identified as Jordan Wilson conduct a hand to hand drug transaction. Upon arrival of law enforcement, Wilson immediately fled on foot, but was apprehended after a short chase in which officers observed Wilson discarding items as he fled. A search of Wilson's flight path resulted in law enforcement locating 2.5 grams of crack cocaine in two separate bags packaged for sale. Officers further located marijuana, digital scales, and drug paraphernalia on Wilson's person search incident to arrest, and Wilson was arrested and charged with Possession of Marijuana, Possession of Cocaine, Resist/Delay/Obstruct a Public Officer, and Possession of Marijuana Paraphernalia.

69. On June 5, 2019 at approximately 7:54pm, CMPD officers conducting surveillance observed Arsenio Hopper in a vehicle parked in front of the West Blvd Shop. Upon law enforcement's arrival, Hopper fled on foot from the vehicle. He was taken into custody after a lengthy foot chase. Upon further investigation, officers located approximately 1.7 grams of marijuana packaged for sale in the immediate area of where Hopper had fled. A further search of Hopper's vehicle resulted in officers locating items indicative of drug trafficking to include a loaded firearm that was concealed, digital scales, and U.S. Currency. Hopper was arrested and charged with Possession of Marijuana, Possession of Marijuana Paraphernalia, Carrying a Concealed Gun, and Resist/Delay/Obstruct, as well as an outstanding warrant for Felony Conspiracy.

70. On June 25, 2019, CMPD officers conducting surveillance observed Fedrick Dickson, a validated YNG gang member known to have an outstanding warrant, loitering at the West Blvd Shop. As officers arrived at the West Blvd Shop, Dickerson entered the West Blvd Shop and began concealing contraband within the store. Officers arrested Dickerson inside the West Blvd Shop on the outstanding warrant, and located approximately 11.4 gram of marijuana and a loaded firearm on a shelf around where Dickerson was seen. Dickerson was charged with Possession of Marijuana, Possession of Marijuana Paraphernalia, and Carrying a Concealed Gun.

71. On August 08, 2019, CMPD officers conducting surveillance observed Princeton Hopper conduct numerous hand to hand drug transactions. Hopper then fled from law enforcement on foot, and was apprehended after a short foot chase that ended in the middle of West Blvd. A search of Hopper's person uncovered a loaded firearm along with approximately 38.7 grams of marijuana that was packaged for sale in various weights, and a subsequent search of Hopper's vehicle located 41 dosage units of MDMA and U.S. currency. Hopper was arrested and charged with numerous drug and firearm related crimes. Another individual, Joshua Belk, was also taken into custody during the encounter and charged with Possession of Schedule I Controlled Substance and Misdemeanor Child Abuse.

72. On September 18, 2019, law enforcement discovered 17.5 grams of marijuana & drug paraphernalia a vehicle parked at 1533 West Blvd, and Antonio Anthony was cited for the marijuana and drug paraphernalia.

73. On September 25, 2019, CMPD officers observed Travante Givens conducting hand to hand drug transactions and weighing marijuana on a scale that was positioned on a store front windowsill. Givens entered the West Blvd Shop to avoid law enforcement, and was detained inside the store and found to be in possession of 3.7 grams of marijuana that was packaged for sale as well as \$165 in U.S. currency. Givens was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

74. On October 22, 2019, CMPD officers observed Arsenio Hopper conduct hand to hand drug level transactions outside of the West Blvd Property. Upon arrival, officers located Hopper inside the West Blvd Shop in possession of 17.7 grams of marijuana. Hopper was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Marijuana.

75. On November 2, 2019, CMPD officers conducting surveillance observed Joshua Harris conduct numerous hand to hand drug transactions, and weighing marijuana on a scale which was sitting on a windowsill of the West Blvd Shop building. Upon law enforcement's arrival, Harris fled on foot. A CMPD officer caught Harris behind the West Blvd Shop. Harris continued to resist arrest and fight with the CMPD officer, which led to the officer sustaining injuries requiring hospitalization. Harris was taken into custody and found to be in possession of a loaded firearm, U.S. currency, and 7.96 grams of marijuana that was packaged for sale. Harris was charged with Assault on Government Employee, Possession with

Intent to Sell/Deliver Marijuana, Possession of Marijuana Paraphernalia, Carrying a Concealed Gun, and Resisting a Public Officer.

76. On November 7, 2019, CMPD officers conducting surveillance observed Jordan Williams conducting hand to hand drug transactions in front of the West Blvd Shop. Law enforcement immediately engaged Williams upon arrival to prevent flight, but Williams resisted arrest and during a struggle with CMPD officers, discarded a pistol across the parking lot. The pistol was later determined to be stolen and a search of Williams revealed a digital scale, \$339.00 in U.S. currency, and 16.1 grams of marijuana that was packaged for sale. Williams was arrested and charged with Possession of a Stolen Firearm, Possession with Intent to Sell/Deliver Marijuana, Possession of Marijuana Paraphernalia, Carrying a Concealed Weapon, Resisting a Public Officer, and Loitering for Drug Activity.

77. On November 17, 2019, CMPD officers conducting surveillance observed Brandon Moffit conduct multiple hand to hand drug transactions in front of the West Blvd Shop. Upon police arriving at the West Blvd Shop, Moffit and another man identified as Antron Pittman entered the West Blvd Shop to avoid law enforcement. Moffit was observed concealing drugs in his pants, later determined to be 2.72 grams of marijuana packaged for sale. At the same time, Pittman was observed concealing items in the store freezer, and a search of the freezer uncovered 100 dosage units of MDMA. Moffit was arrested and charged with Possession with Intent to Sell/Deliver Marijuana. Pittman eluded police at the time but was later arrested for the MDMA.

78. On November 26, 2019, CMPD officers observed Dandre Hampton conducting hand to hand drug sales at the West Blvd Shop. Law enforcement detained Hampton and found him to be in possession of 14.3 marijuana packaged for sale, several baggies used to package marijuana, and U.S. currency. Hampton was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

79. On November 26, 2019 CMPD officers seized 30.7 grams of marijuana from an individual at the West Blvd Shop in possession of narcotics with intent to sell and deliver.

80. On November 30, 2019, a small amount of marijuana and a digital scale was found sitting on a windowsill at the West Blvd Shop.

81. On December 20, 2019, CMPD officers observed Robert Sanders conducting hand to hand drug transactions. Upon apprehension, Sanders was found to be possession of 18.54 grams of marijuana that was packaged for sale, a digital scale, U.S. currency, and a phone. Sanders was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

82. On December 24, 2019, CMPD officers were conducting surveillance observed Antonio Anthony conduct hand to hand drug transactions. Upon law enforcement's arrival, Anthony entered the West Blvd Shop to evade police. Anthony was detained and searched which resulted in officers locating 4.18 grams of marijuana packaged for sale, an oxycodone pill, a digital scale, and \$220.00 in U.S. currency. Anthony was arrested and charged with Possession with Intent to



Sell/Deliver Marijuana, Possession of Drug Paraphernalia, and Simple Possession of a Schedule II Controlled Substance.

83. On December 27, 2019, CMPD officers conducting surveillance observed several subjects conducting hand to hand drug transactions on the West Blvd Property. One individual, Christian Harris, was apprehended when an officer approached him bent over weighing marijuana on scale. When Harris stood up and observed the uniformed officer in front of him, he immediately gave flight, initially losing law enforcement after a lengthy foot chase. A CMPD K9 arrived to track Harris—resulting in his apprehension by the K9—and a search of Harris revealed 4.18 grams of marijuana, scales, phones, and U.S. currency. Harris was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

84. On December 31, 2019, CMPD officers conducting surveillance observed approximately eight adult males loitering in front of the West Blvd Shop. One individual, Christopher Brice admitted to law enforcement that he had marijuana inside his vehicle, and a subsequent search of his vehicle resulted in officers locating 4.3 grams of marijuana, a digital scale with marijuana residue, and U.S. currency. Brice was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

85. On December 31, 2019, CMPD officers conducting surveillance observed Trent Johnson II conducting several hand to hand drug transactions outside the

entrance to the West Blvd Shop, and Johnson was found to be in possession of 23.2 grams of marijuana, digital scales, and \$762.00 in U.S. currency.

2020 incidents

86. On January 2, 2020, CMPD officers conducting surveillance observed Robert Sanders conduct hand to hand drug transactions. Specifically, Sanders would gather marijuana from the windowsill of the West Blvd Shop and then package it for buyers to pick up. Law enforcement located 29.1 grams of marijuana, a digital scale on the windowsill of the West Blvd Shop, and \$290.00 in U.S. currency. Sanders was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

87. On January 3, 2020, CMPD officers conducting surveillance observed Reginald Smalls make several hand to hand drug transactions. Specifically, officers observed Smalls weigh marijuana on a scale he had set upon the windowsill of the West Blvd Shop. Smalls was found to be in possession of 19.4 grams of marijuana, drug paraphernalia, and \$239.00 in U.S. currency in denominations consistent with street level drug sales. Smalls was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

88. On January 9, 2020, CMPD officers conducting surveillance observed Sandino Davis make several hand to hand drug transactions. Specifically, officers observed Davis transfer marijuana to an unknown male inside the West Blvd Shop, and hang out in and around a vehicle occupied by Kirby Rabb. Law enforcement located approximately 35.8 grams of marijuana, U.S. currency, drug paraphernalia,

and a stolen firearm; and Davis and Rabb were arrested on numerous drug and firearm related charges.

89. On January 16, 2020, officers conducting surveillance observed Rashon Patterson make several hand to hand drug transactions outside the West Blvd Shop. Patterson was found in possession of approximately 31.3 grams of marijuana, drug paraphernalia, and U.S. currency; and arrested and charged with Possession with Intent to Sell/Deliver Marijuana, Possession of Drug Paraphernalia, and Maintaining a Vehicle for Controlled Substance.

90. On January 17, 2020, a 14-year-old juvenile suspect was arrested for Carrying a Concealed Firearm.

91. On January 21, 2020 at approximately 3:05pm, officers conducting surveillance observed Brandon Moffett conduct multiple hand to hand transactions. Upon further investigation, officers located 51.51 grams of marijuana inside a business (Tasty World Kitchen at 1537 West) that Moffett entered to avoid the police.

92. On January 25, 2020, CMPD officers were dispatched to a drug sale call for service at the West Blvd Property, and found 5 dosage units of MDMA and a digital scale in an unoccupied vehicle.

93. On February 11, 2020, CMPD officers were dispatched to a loitering/drug sale call for service at the West Blvd Property. Prior to responding, officers conducting surveillance observed Robert Sanders conduct multiple hand to hand drug transactions. Sanders was found to be in possession of 115.5 grams of

marijuana, drug paraphernalia, and U.S. currency, and Sanders was arrested and charged with numerous drug offenses.

94. On March 1, 2020, CMPD officers conducting surveillance observed Tahajie Howard, a validated Tiggy Boyz gang member, conduct multiple hand to hand transactions outside the West Blvd Shop. Howard was detained as he was weighing marijuana on the West Blvd Shop windowsill. Law enforcement located 14.51 grams of marijuana and a digital scale. Howard was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

95. On March 1, 2020, CMPD officers driving by the West Blvd Property observed Trent Johnson II weighing marijuana on scale that was sitting in the windowsill of a business. Upon further investigation, officers located 17.95 grams of marijuana and a digital scale. Johnson was arrested and charged with Possession with Intent to Sell/Deliver Marijuana and Possession of Drug Paraphernalia.

96. On March 2, 2020, CMPD officers responded to the West Blvd Property in reference a loitering for drugs call for service. Upon law enforcement's arrival, the loitering individuals ran from the area, but Reginald Smalls was apprehended and found to be in possession of 13.74 grams of marijuana and drug paraphernalia.

97. On March 3, 2020, CMPD officers were dispatched to the West Blvd Shop in response to a loitering for drug activity call for service. Officers conducting surveillance observed Ramandez Seegars conduct multiple hand to hand drug transaction, and law enforcement located 7.4 grams of marijuana and a scale.

98. On March 10, 2020, CMPD officers approached Ajare Dean, a known drug dealer, getting out of a parked vehicle in the parking lot of the West Blvd Property. As they approached Dean, officers observed marijuana in the floorboard of the vehicle, and Dean was found in possession of 13.5 grams of marijuana. Dean is a validated Bloods gang member.

99. On March 13, 2020, officers conducting surveillance observed Brandon Moffett conduct hand to hand drug transactions. Moffett was found in possession of drug paraphernalia. During the same incident, 6.8 grams of marijuana was located and turned in as found property. Moffett is a validated Crips gang member.

100. On March 14, 2020, CMPD officers conducting surveillance observed a blue Dodge Charger, occupied by Darryl Leach and Tamar Dockins and wanted in connection to an armed robbery, pull into the parking lot of the West Blvd Property. A search of the vehicle uncovered a 9mm handgun and 1.1 grams of powder cocaine. Leach was charged with Attempted Robbery with a Firearm/Dangerous Weapon, Simple Assault, Felony Possession of Cocaine, Possession of a Firearm by a Felon, and Carrying a Concealed Gun. Dockins was charged with Robbery with a Firearm/Dangerous Weapon and Possession of Drug Paraphernalia.

101. On March 18, 2020, CMPD officers conducting surveillance observed Arsenio Hopper make several hand to hand drug transactions. Law enforcement uncovered 11 units of Oxycodone, 28.9 grams of marijuana, a digital scale, and a Glock 42 handgun. Hopper was taken into custody and charged with Possession with Intent to Sell/Deliver Marijuana, and Oriential Baker Jr taken into custody and

charged with Possession with Intent to Sell/Deliver Schedule II Controlled Substance, Possess Drug Paraphernalia, and Carrying Concealed Gun.

102. On April 2, 2020, officers arrested the Travante Givens on an outstanding warrant. Givens was searched and was found in possession of 7.65 grams of marijuana.

103. On April 24, 2020, CMPD officers conducting surveillance observed Ramandez Seegars conducting hand to hand drug transactions. As CMPD officers arrived, Seegars fled on foot but was quickly apprehended. Law enforcement seized 17.64 grams of Marijuana, \$171.00 in U.S. currency, and a digital scale.

104. On May 9, 2020, CMPD officers on patrol observed Darryl Moffett loitering at the West Blvd Shop with a firearm sticking out of his pants pocket. Upon approach, Moffett ran from officers but was apprehended. Officers recovered the handgun Moffett had discarded while fleeing, and Moffett was arrested and charged with Possession of Firearm by a Felon, Carrying a Concealed Weapon, and Resisting a Public Officer.

105. On May 17, 2020, CMPD officers conducting surveillance observed Charles Myers, a validated Bloods gang member, conducting hand to hand drug transactions in front of the West Blvd Shop. Myers was found to be in possession of 46.39 grams of marijuana, 0.2 grams of cocaine, a stolen firearm, U.S. currency and drug paraphernalia, and arrested and charged with numerous drug and firearm crimes.

106. On June 25, 2020, CMPD officers approached a vehicle that was parked at the West Blvd Shop which had been observed traveling at a high rate of speed and running a stop light just prior to parking. Upon further investigation, law enforcement seized marijuana, a digital scale, drug paraphernalia, and a handgun. Michael Taft Jr was arrested and charged with Possession of Marijuana, Marijuana Paraphernalia, and Littering; and Pierre Latta was arrested and charged with Possess Marijuana and Possession of Firearm by Convicted Felon.

107. On July 1 and July 2, 2020, Kadderious McCoy sold marijuana to an undercover officer in the parking lot of the West Blvd Property. Notably, these were not pre-arranged purchases—McCoy approached the undercover officer in the parking lot each time. McCoy was later arrested.

108. On July 2, 2020, Davarian McFadden sold MDMA to an undercover officer in the parking lot of the West Blvd Property. This was again not a prearranged purchase, as McFadden approached the officer. McFadden was later arrested.

109. On July 10, 2020, Sandino Davis sold MDMA to an undercover officer (after approaching the officer in a non-prearranged purchase) in the parking lot of the West Blvd Property. Davis was later arrested.

110. On July 17, 2020, Brandon Moffett sold 4.4 grams of marijuana to an undercover officer in the parking lot of the West Blvd Property (after approaching the officer in a non-prearranged purchase). Moffett was later arrested. Moffett is a validated Crips gang member.



111. On July 17, 2020, Travante Givens sold 3.5 grams of marijuana to an undercover officer in the parking lot of the West Blvd Property (after approaching the officer in a non-prearranged purchase). Givens was later arrested.

112. On July 17, 2020, Kaderrious McCoy sold an undercover officer 5 dosage units of MDMA in the parking lot of the West Blvd Property (after approaching the officer in a non-prearranged purchase). McCoy was later arrested.

113. On July 17, 2020, Brandon Moffett, a validated Crips gang member, again (after approaching the officer in a non-prearranged purchase) sold 1.4 grams of marijuana to an undercover officer in the parking lot of the West Blvd Property.

114. On August 4, 2020, CMPD officers conducting surveillance observed Sandino Davis loitering at the West Blvd Shop. Davis was arrested on an outstanding warrant, and during the arrest, law enforcement seized 15.6 grams of marijuana packaged for sale in 8 baggies and a Glock handgun. Davis was additionally charged in relation to the marijuana and gun.

115. On August 7, 2020, Tory Vazquez sold 10 dosage units of MDMA to an undercover officer in the parking lot of the West Blvd Property (after approaching the officer in a non-prearranged purchase). Vazquez was later arrested.

116. On August 7, 2020, CMPD officers arrested Tory Vazquez for selling MDMA to an undercover officer moments earlier. A search of Vazquez revealed 32 MDMA dosage units and a digital scale. Vazquez was charged with multiple drug-related crimes.

117. On August 28, 2020, CMPD officers conducting surveillance observed several individuals loitering in the West Blvd Property parking lot, including Shawn Glover and Arsenio Hopper, who was holding a plastic bag of marijuana. Upon law enforcement's arrival, Hopper fled on foot but was apprehended. Officers observed Hopper discarding marijuana as he fled, and later located marijuana packaged for sale and \$1,364.00 in U.S. currency. Shawn Glover was also taken into custody for possessing eight MDMA dosage units.

118. On August 30, 2020, CMPD officers made contact with Brandi Brehm, who was openly carrying a firearm. Brehm purported to be security for the "Fish Arcade," but CMPD learned from the North Carolina Department of Public Safety when investigating her credentials that she was never certified or permitted to carry openly or concealed any firearm. Brehm was arrested and charged with Private Protective Services Enforcement violation.

119. On September 1, 2020, CMPD officers conducting surveillance observed Manuel Hayes conduct hand to hand drug transactions. Upon further investigation, officers seized 5.9 grams of marijuana that was packaged for sale, 0.1 grams of powder cocaine packaged for sale, 2 Oxycodone pills, a digital scale and U.S. currency comprised of denomination consistent with street level narcotics sales. Hayes was arrested and charged with narcotics violations.

120. On September 6, 2020, CMPD officers on patrol observed Tory Vazquez loitering in front of the West Blvd Shop. Officers knew Vazquez to have outstanding warrants, and ultimately arrested Vazquez inside the West Blvd Shop. A search pf

Vazquez uncovered 32 dosage units of MDMA, 0.1 grams of marijuana, a digital scale, and 9mm ammunition.

121. On September 6, 2020, CMPD officers conducting surveillance observed several subjects conduct hand to hand drug transactions at the West Blvd Property. Law enforcement apprehended Shawn Glover after a foot pursuit and seized 15 grams of marijuana and a glass pipe used to ingest crack cocaine.

122. On October 14, 2020, CMPD officers conducting surveillance observed Darius Suber, a validated Crips gang member, conducting hand to hand drug transactions. Law enforcement detained and cited Suber without incident, but as the officers arrived, multiple individuals walked off, leaving behind numerous bags of marijuana in different quantities with a total approximate weight of 359 grams.

123. On October 28, 2020, CMPD officers conducting surveillance observed several known drug dealers loitering at the West Blvd Property conducting hand to hand drug transactions. Kymron McInnis was later found in possession of a bookbag that contained four bags of marijuana with a total weight of approximate 149.8 grams. McInnis was arrested and charged with Possession with Intent to Sell of Deliver Marijuana, Felony Possession of Marijuana, Maintaining a Vehicle for Controlled Substance, and Possession of Drug Paraphernalia.

124. On November 6, 2020, CMPD officers conducting a walk-through of the West Blvd Property parking lot observed multiple bags of marijuana on the floorboard of a vehicle. Law enforcement seized approximately 149.8 grams of marijuana

determined to be connected to Dominique Hancock, who is a validated Crips gang member.

125. On November 17, 2020, CMPD officers conducting surveillance observed Manual Hayes conducting hand to hand drug transactions. Law enforcement arrived and detained Hayes after a short struggle. Hayes was found to be in possession of marijuana, oxycodone, and U.S. currency, and arrested and charged with a variety of crimes.

126. On December 12, 2020, CMPD officers on patrol stopped at the West Blvd Property after observing several individuals loitering in the parking lot. The individuals walked off in different directions upon officer's arrival, and the officers located marijuana and a digital scale in a vehicle in the parking lot.

127. On December 10, 2020, CMPD officers conducting surveillance observed Sta'quan Jones conducting hand to hand drug transactions. Jones was found to be in possession of marijuana, two digital scales and U.S. currency, and Jones admitted to law enforcement that he was at the West Blvd Property to sell marijuana. Jones was arrested and charged with Possession with Intent to Sell or Deliver Marijuana, Possession of Drug Paraphernalia, and Loitering for Drug Activity.

128. On December 11, 2020, CMPD officers conducting surveillance observed Brandon Moffett, a validated Crips gang member, conducting hand to hand drug transactions. Moffett was found in possession of approximately 18.58 grams of marijuana and U.S. currency, and arrested and charged with Possession with Intent to Sell or Deliver Marijuana.

129. On December 11, 2020, CMPD officers conducting surveillance observed Robert Sanders conducting hand to hand drug transactions. Upon law enforcement's arrival, Sanders left in a vehicle, and officers recovered Sanders' digital scale from the windowsill of the West Blvd Shop.

130. On December 18, 2020, officers responded to a loitering for drugs call for service at the West Blvd Shop. Surveillance cameras showed Brandon Moffett conducting hand to hand drug transactions. When officers arrived at the Property and identified themselves to Moffett, he fled on foot but was apprehended following a K9 search. Digital scales were found in the area Moffett was originally standing.

131. On December 19, 2020, CMPD officers on patrol pulled into the parking lot of 1533 West Blvd which caused a group of males to disperse the area. A review of the surveillance video showed Robert Sanders loitering in front of the store for approximately one and a half hours before police arrived, and during this time, Sanders conducted multiple hand to hand drug sales.

132. In 2021, similar activity has continued in the parking lot between 1501 West Blvd and 1533 West Blvd, resulting in at least 332 calls for service, undercover drug purchases, multiple drug possession charges, multiple assaults, a knife fight over cocaine, and a murder in which a search of the deceased victim revealed a "fanny pack" containing marijuana packaged for sale, a digital scale, and U.S. currency in denominations consistent with street level narcotics sales.

**FIRST CLAIM FOR RELIEF**  
**(21 U.S.C. § 881(a)(7))**

133. The United States incorporates by reference the allegations set forth in Paragraphs 1 to 132 above as if fully set forth herein.

134. The Defendant Property was used or intended to be used to commit or facilitated the commission of violations of 21 U.S.C. § 841(a)(1) (making it unlawful to knowingly or intentionally “manufacture, distribute, or dispense, or possess with intent to manufacture, distribute, or dispense, a controlled substance”) and § 846 (attempt and conspiracy).

135. Thus, the Defendant Property is subject to forfeiture pursuant to 21 U.S.C. § 881(a)(7) which provides for the forfeiture of “[a]ll real property, including any right, title, and interest (including any leasehold interest) in the whole of any lot or tract of land and any appurtenances or improvements, which is used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, a violation of this subchapter [the Controlled Substances Act, 21 U.S.C. §§ 801 *et seq.*].”

136. The United States does not request authority from the Court to seize the Defendant Property at this time. The United States has or will, as provided by 18 U.S.C. 985(b)(2) and (c)(1):

- a. post notice of this action and a copy of the Complaint on the Defendant Property;
- b. serve notice of this action on the Defendant Property owners, and any other person or entity who may claim an interest in the Defendant Property, along with a copy of this Complaint; and
- c. file a *lis pendens* in county records giving notice of the Defendant Property’s status as a defendant in this *in rem* forfeiture action.



## **PRAYER FOR RELIEF**

By virtue of the foregoing, all right, title, and interest in the Defendant Property vested in the United States at the time of the commission of the unlawful act giving rise to forfeiture, 21 U.S.C. § 881(h), and has become and is forfeitable to the United States of America.

WHEREFORE, the United States of America respectfully prays the Court that:

- (1) due notice be given to all parties to appear and show cause why the forfeiture should not be decreed;
- (2) judgment be entered declaring the Defendant Property to be condemned and forfeited to the United States of America for disposition according to law; and
- (3) the United States be granted such other and further relief as this Court may deem just and proper, together with the costs and disbursements of this action, including but not limited to the expenses of maintenance and protection of the Defendant Property as required by 28 U.S.C. § 1921.

Respectfully submitted this 23rd day of April, 2021.

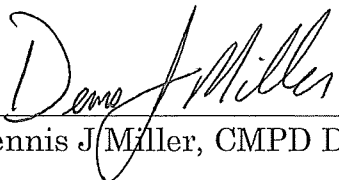
**WILLIAM T. STETZER**  
**ACTING UNITED STATES ATTORNEY**

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VERIFICATION

I declare under penalty of perjury that the factual information contained in the foregoing Complaint is true and correct according to the best of my knowledge, information, and belief.

Executed on the 19 day of April, 2021.

  
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Dennis J Miller, CMPD Detective